IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MRS. JUSTICE K.HEMA

FRIDAY, THE 1ST DECEMBER 2006 / 10TH AGRAHAYANA 1928

MACA.No. 276 of 2003()

AGAINST THE ORDER DATED 31/08/2002 IN IA. 308 /2002 IN OPMV.614/2001 of MOTOR ACCIDENTS CLAIMS TRIBUNAL, KASARAGOD

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APPELLANT/3RD RESPONDENT:

NATIONAL INSURANCE COMPANY LTD.,
REP. BY ITS DEPUTY MANAGER, KOCHI REGIONAL OFFICE
T.P. CELL, M.G.ROAD, ERNAKULAM.

BY ADV. SRI.P.R.RAMACHANDRA MENON

RESPONDENTS: CLAIMANTS 1 & 2 & RESPONDENTS 1 & 2 RESPECTIVELY:

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1. KINA NAIK, S/O. LEKIYA NAIK,
YALKANA KOPPA, POST HARI KOPPA,SHIKKARIPURA TALUK,
SHIMOGA DISTRICT, KARNATAKA STATE.

2. ANASOOYA BAI, W/O. KINA NAIK,
-DO- -DO-.

3. ABDUL HAMEED, S/O. MUHAMMED,
ATTAGOLI, MEENJA VILLAGE, KAYYAR POST, KASARAGOD.

4. D.JAGADEESHA, S/O. KRISHNA POOJARI,
H.1/57, DERAMBALAPODE HOUSE, MEENJA VILLAGE,
KAYYAR POST, KASARAGOD.

BY ADV. SRI.SURESH KUMAR KODOTH

THIS MOTOR ACCIDENT CLAIMS APPEAL HAVING BEEN FINALLY HEARD ON 01/12/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.HEMA, J.

C.M.APPL. 416 OF 2003
IN
M.A.C.A.NO. 276 OF 2003

Dated this the 1st day of December, 2006

JUDGMENT

This appeal is filed challenging an interim award passed under Section 140 of the Motor Vehicles Act. The appeal is delayed and hence a petition for condonation of delay is also filed. Learned counsel for the appellant submitted that the Original Petition itself is disposed of and a final award is passed which is challenged before this Court. Hence the matter has become infructuous. These submissions are recorded and C.M.Application and the appeal are dismissed.

K.HEMA, JUDGE

vgs.